

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

VICKEY LEE MILES, : Case No. 3:20-cv-410
Plaintiff, :
vs. : District Judge Walter H. Rice
COMMISSIONER OF THE SOCIAL : Magistrate Judge Peter B. Silvain, Jr.
SECURITY ADMINISTRATION, :
Defendant. :

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Peter B. Silvain, Jr. (Doc. #13), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Commissioner's non-disability finding is vacated;
2. No finding is made as to whether Plaintiff Vickey L. Miles was under a "disability" within the meaning of the Social Security Act;
3. This matter is **REMANDED** to the Social Security Administration under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with this Decision and Entry; and
4. The case is terminated on the Court's docket.

November 8, 2021

Walter H. Rice
Walter H. Rice
United States District Judge